

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2008-__-T

IN RE: Petition of the Office of Regulatory)	
Staff to Revoke Certificates of)	
Public Convenience and)	PETITION FOR RULE TO SHOW
Necessity of Certain Motor Carriers)	CAUSE
For Failure to Maintain and File)	
Evidence of Insurance)	

The Office of Regulatory Staff, by filing this petition, would respectfully show and request of the Commission:

1. That the Public Service Commission of South Carolina ("the Commission") is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of motor vehicle carriers operating for compensation as set forth in S.C. Code Ann. §58-23-10 et seq. (1976 and Supp. 2007); that the Office of Regulatory Staff ("ORS") is charged with the duty to protect the public interest pursuant to S.C. Code Ann. Section 58-4-10, et seq. as enacted by 2004 S.C. Acts 175.

2. That the companies listed in Exhibit A are currently operating as "motor vehicle carriers" as defined in S.C. Code Ann. §58-23-10(4) (Supp. 2007) in that they own, control, operate, or manage motor propelled vehicles, not usually operated on or over rails, used in the business of transporting persons or property for compensation over improved public highways in this state.

3. That the companies listed in Exhibit A are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-23-10 et seq. (1976 and Supp. 2007); further, that these companies have submitted themselves to the jurisdiction of the Commission by their holding a Certificate of

Public Convenience and Necessity as indicated in Exhibit A. See Exhibit A, List of Companies Failing to File Required Documents.

4. That the Companies listed in Exhibit A, upon receiving their Certificates of Public Convenience and Necessity, were found to be fit, willing and able to operate as a motor carrier by the Commission; that such authority found the companies were “familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina” and that they “agree to operate in compliance with these statutes and regulations” [26 S.C. Code Regs. 103-133(4)(a) (Supp. 2007)]; further, that the companies were “aware of the Commission's insurance requirements and the costs associated therewith” [26 S.C. Code Regs. 103-133(4)(b) (Supp. 2007)].

5. That the Commission requires motor carrier applicants to procure and file with the Commission proper proof of insurance and that the insurance “must be kept in full force and effect and failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. §58-23-910 (Supp. 2007).

6. That the Companies listed in Exhibit A have failed to file proof of insurance as required by S.C. Code Ann. §58-23-910 (Supp. 2007) and 26 S.C. Code Regs. 103-171 (Supp. 2007). See Exhibit B, Affidavit of Carole Chauvin.

7. That ORS notified the companies listed in Exhibit A, through certified mail, return receipt requested, of their failure to file the required documents providing evidence of insurance; that despite this notification, the listed companies have continued to fail to comply with the requirements of providing evidence of insurance. See Exhibit B.

8. That “either a failure to file evidence of insurance or surety bond or failure to keep all insurance or bonds in full force and effect shall be just cause for the Commission, without further evidence or hearing, to suspend its order granting authority or to suspend the certificate or any license issued to the motor carrier.” 26 S.C. Code Regs. 103-175 (Supp. 2007); further, that the insurance

“must be kept in full force and effect and failure to do so is cause for the revocation of the certificate.”
S.C. Code Ann. §58-23-910 (Supp. 2007).

9. That the companies listed in attached Exhibit A have had their Certificates of Public Convenience and Necessity suspended by Directive or Order of the Commission on the Petition of the ORS, for failure to file the requisite proof of insurance.

10. That “the Commission may at any time, after notice and opportunity to be heard, suspend, revoke, alter, or amend any certificate, if it shall be made to appear that the holder has willfully violated or refused to observe orders, rules, or regulations prescribed by the Commission, provisions of the Motor Vehicle Carrier Law, or any other law of this State regulating motor carriers for hire and applicable to the holder of such certificate, or, if, in the opinion of the Commission, the motor carrier holding a Certificate of PC&N is not furnishing adequate service or it is no longer compatible with the public interest to continue said certificate in force, or, if in the opinion of the Commission, the motor carrier holding a Certificate of FWA is no longer furnishing adequate service, or said carrier no longer meets the fit, willing, and able criteria...” 26 S.C. Code Regs. 103-240 (Supp. 2007).

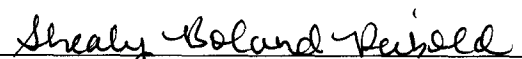
11. That “the Commission may, at any time, by its order, duly entered, after a hearing had upon notice to the holder of any certificate hereunder at which such holder shall have had an opportunity to be heard and at which time it shall be proved that such holder has willfully made any misrepresentation of a material fact in obtaining his certificate or willfully violated or refused to observe the laws of this State touching motor vehicle carriers or any of the terms of his certificate or of the Commission's proper orders, rules or regulations, suspend, revoke, alter or amend any certificate issued under the provisions of Articles 1 to 11 of this chapter.” S.C. Code Ann. §58-23-320 (Supp. 2007).

12. That the information listed in Exhibit A is the mailing address for each carrier on file with the Commission and ORS and the information listed in Exhibit A was provided by each carrier

listed in Exhibit A. See Exhibit A, List of Companies Failing to File Required Documents. See also Exhibit B, Affidavit of Carole Chauvin.

WHEREFORE, the ORS staff prays that the Honorable Commission:

1. Issue an order requiring the carriers listed in Exhibit A to appear before the Commission and show cause why their Certificates of Public Convenience and Necessity should not be revoked by this Commission pursuant to 26 S.C. Code Regs. 103-240 (Supp. 2007);
2. Schedule and conduct a formal administrative hearing as soon as practicable to address disputed issues of fact and law regarding the Certificates which the ORS seeks to have revoked by the Commission in this action pursuant to 26 S.C. Code Regs. 103-175 and 103-240 (Supp. 2007) and S.C. Code Ann. §58-23-320 (Supp. 2007).
3. Following the formal administrative hearing, immediately rule to revoke the Certificates of those motor carriers listed in Exhibit A in accordance with the authority provided the Commission under S.C. Code Ann. §58-23-320 and thereafter immediately enter a final Order.
4. For other appropriate action which the Commission may deem necessary.


Jeffrey M. Nelson, Esquire
Shealy Boland Reibold, Esquire
Office of Regulatory Staff
1441 Main Street, Suite 300
Columbia, South Carolina 29201

January 29, 2008
Columbia, South Carolina

EXHIBIT A

JANUARY 29, 2008 - EXHIBIT A - CARRIERS OUT OF COMPLIANCE									
No.	Docket #	Class	Type of Cert	Name	DBA	Address	City	St	Zip
1	2007-247-T	C	TAXI	VERA TROTMAN	A TO Z EXPRESS	5302 KIRSSTEIN STREET	N CHARLESTON	SC	29418
2	2006-272-T	C	CHARTER	JAMES D. REASONER	ABSOLUTELY CHARLESTON	P.O. BOX 2727	MT PLEASANT	SC	29465
3	2006-71-T	C	CHARTER BUS	AN EXTREME LIMOUSINE, LLC		161 AVONDALE DRIVE	AUGUSTA	GA	30907
4	2006-72-T	C	CHARTER	AN EXTREME LIMOUSINE, LLC		162 AVONDALE DRIVE	AUGUSTA	GA	30908
5	1996-050-T	E	HHG	CHARLES G. MARION, JR.	B.C MOVERS & STORAGE	P.O. BOX 1528	LEXINGTON	SC	29071
6	2006-209-T	C	CHARTER	PIRATES PLUNDER, LLC	CHARLESTON LUXURY TRANSPORT	1808 MEETING STREET	CHARLESTON	SC	29405
7	2006-370-T	C	CHARTER	FIRST CLASS LIMOUSINE SERVICE, LLC		1923 SHELL COURT	SURFSIDE BEACH	SC	29575
8	2005-323-T	C	TAXI	LEROY A. BROWN	G.T.F.O. TAXI	2325 FALCON STREET	N CHARLESTON	SC	29406
9	2007-261-T	C	CHARTER	I.G.W.T., INC.	I.G.W.T. LIMO AND CHARTER	1015 CHARLOTTE AVE SUITE 366	ROCK HILL	SC	29732
10	2006-145-T	C	CHARTER BUS	C & L TOURS, INC.	INTEGRITY TOURS & CHARTERS	P. O. BOX 160846	BOILING SPRINGS	SC	29316
11	2006-378-T	C	CHARTER	STEFAN A. KOZHUHAROV		1510 COASTAL LANE UNIT 204	MYRTLE BEACH	SC	29577
12	2001-186-T	C	CHARTER BUS	LAIDLAW TRANSIT SERVICES, INC.		190 KNOX ABBOTT DRIVE	CAYCE	SC	29033
13	2004-345-T	C	TAXI	MORRIS L. LOWERY		208 DAVIS STREET	DARLINGTON	SC	29532
14	2005-207-T	C	TAXI	CONNIE F. MITCHELL		140 EAST WINGATE AVENUE	FLORENCE	SC	29506
15	2006-351-T	C	TAXI	WILLIAM JONES AND KWAN GARNER	RELIABLE RIDES	264 KINSEY DRIVE	SUMTER	SC	29150
16	2003-233-T	C	CHARTER	REZELL CAMERON	REZELLE LIMO SERVICE	235 S. HAZARD STREET	GEORGETOWN	SC	29440
17	2006-216-T	C	TAXI	CHERI M. ROBERTS		P.O. BOX 1211	CONWAY	SC	29528
18	1998-403-T	E	HHG	DARRELL ELLISON	RONNIE'S MOVING SERVICE	P.O. BOX 6062	GREENVILLE	SC	29606
19	2007-249-T	C	CHARTER	S & S EXPRESS, INC.		4940 CHARLESTON HWY	WILLISTON	SC	29853
20	2007-220-T	C	NON-EMERGENCY	S & S TRANSPORTATION AND CONSOLIDATED SERVICES, LLC		674 MOORE STREET	LAKE CITY	SC	29560
21	1998-588-T	C	TAXI	EVELYN SCOTT		P.O. BOX 1951	GEORGETOWN	SC	29440
22	2004-20-T	C	CHARTER	RAMON ZAMORANO	TRANSPORTE SALUDA	165 MYRTLE ROAD	SALUDA	SC	29138
23	2004-19-T	C	TAXI	RAMON ZAMORANO	TRANSPORTE SALUDA	166 MYRTLE ROAD	SALUDA	SC	29139
24	2007-76-T	C	TAXI	SHANE WASHKO		958 PALASADE CIRCLE	MYRTLE BEACH	SC	29577
25	1999-337-T	C	TAXI	GEORGIA H. ROBINSON	WINKS TAXI	P.O. BOX 303	CHERAW	SC	29520
26	1989-155-T	E	HHG	WILLIAM MICHAEL YARBOROUGH	YARBOROUGH'S MOVING SERVICE	1530 WESTFERRY CROSSING	SURFSIDE BEACH	SC	29575

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. _____

January 22, 2008

IN RE: Petition of the Office of Regulatory)
 Staff to Revoke Certificates of) AFFIDAVIT OF
 Public Convenience and) Carole Chauvin
 Necessity of Certain Motor Carriers)

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Carole Chauvin and I am employed by the Office of Regulatory Staff ("ORS") as an Administrative Assistant for the Transportation Department.
- 2) My office is located at 1441 Main Street, Columbia, South Carolina, 29201.
- 3) My duties and responsibilities as an Administrative Assistant for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On January 22, 2008, I examined the business records on file with ORS.
- 7) As a result of that examination, I attest that the proof of insurance as required by 26 S.C. Code Regs 103-171 and/or 103-174 has not been filed with ORS by the following carriers as of January 22, 2008: (See attached list)

AND FURTHER THE AFFIANT SAYETH NOT.

Carole Chauvin

Carole Chauvin
Program Specialist, Transportation Department
Office of Regulatory Staff
1441 Main Street, Suite 300
Columbia, S.C. 29201

Sworn and subscribed before me
this 22nd day of January, 20 08

[Signature]
Notary Public for South Carolina

My Commission Expires: 5/11/2010

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. 2008-_____ - T

IN RE: Petition of the Office of Regulatory Staff to)
Revoke Certificates of Public Convenience)
and Necessity of Certain Motor Carriers) **CERTIFICATE OF SERVICE**
For Failure to Maintain and File Evidence)
of Insurance)

This is to certify that I, Chrystal L. Morgan, an employee with the Office of Regulatory Staff, have this date served one (1) copy of the **PETITION OF THE OFFICE OF REGULATORY STAFF FOR A RULE TO SHOW CAUSE AS TO WHY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY SHOULD NOT BE REVOKED** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

VERA TROTMAN
DBA A TO Z EXPRESS
5302 KIRSSTEIN STREET
NORTH CHARLESTON, SC 29418

JAMES REASONER
DBA ABSOLUTELY CHARLESTON
P.O. BOX 2727
MT. PLEASANT, SC 29465

AN EXTREME LIMOUSINE, LLC.
161 AVONDALE DRIVE
AUGUSTA, GA 30907

CHARLES G. MARION, JR.
B.C. MOVERS & STORAGE
P.O. BOX 1528
LEXINGTON, SC 29071

PIRATES PLUNDER, LLC DBA
CHARLESTON LUXURY TRANSPORT
1808 MEETING STREET
CHARLESTON, SC 29405

FIRST CLASS LIMOUSINE SERVICE,
LLC

1923 SHELL COURT
SURFSIDE BEACH, SC 29575

LEROY A. BROWN, II. DBA G.T.F.O TAXI
2325 FALCON ST.
N. CHARLESTON, SC 29406

I.G.W.T. INC.
DBA I.G.W.T. LIMO AND CHARTER
1015 CHARLOTTE AVE., STE 366
ROCK HILL, SC 29732

C & L TOURS, INC. DBA INTEGRITY
TOURS & CHARTERS
P.O. BOX 160846
BOILING SPRINGS, SC 29316

STEFAN A. KOZHUHAROV
1510 COASTAL LANE UNIT 204
MYRTLE BEACH, SC 29577

LAIDLAW TRANSIT SERVICES, INC.
190 KNOX ABBOTT DRIVE
CAYCE, SC 29033

MORRIS L. LOWERY
208 DAVIS STREET
DARLINGTON, SC 29532

CONNIE MITCHELL
140 EAST WINGATE AVENUE
FLORENCE, SC 29506

WILLIAM JONES & KWAN GARNER
DBA RELIABLE RIDES
264 KINSEY DRIVE
SUMTER, SC 290150

REZELL CAMERON
DBA REZELLE LIMO SERVICE
235 S. HAZARD STREET
GEORGETOWN, SC 29440

CHERI M. ROBERTS
P.O. BOX 1211
CONWAY, SC 29528

DARRELL ELLISON
DBA RONNIE'S MOVING SERVICE
P.O. BOX 6062
GREENVILLE, SC 29606

S & S EXPRESS, INC.
4940 CHARLESTON HWY
WILLISTON, SC 29853

S & S TRANSPORTATION &
CONSOLIDATION SERVICES, LLC
674 MOORE STREET
LAKE CITY, SC 29560

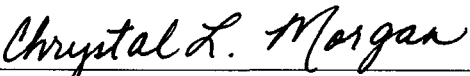
EVELYN SCOTT
P.O. BOX 1951
GEORGETOWN, SC 29440

RAMON ZAMORANO
DBA TRANSPORTE SALUDA
165 MYRTLE ROAD
SALUDA, SC 29138

SHANE WASHKO
958 PALASADE CIRLCE
MYRTLE BEACH, SC 29577

GEORGIA H. ROBINSON
DBA WINK'S TAXI
P.O. BOX 303 CHERAW, SC 29520

WILLIAM MICHAEL YARBOROUGH
DBA YARBOROUGH'S MOVING
SERVICE
1530 WESTFERRY CROSSING
SURFSIDE BEACH, SC 29575



Chrystal L. Morgan

January 29, 2008
Columbia, South Carolina